FOR MYSORE STATE

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Tirka Development (195 0) Department.

14s SERIES.

G.O. NO. 127

Dated 16-2-50

[Despatch Abstract.]

The Madras Temples and Religious Endowments Act, 1947—Section 4 — Regulations — Approval — Orders — passed

Copy to Mysore govt.

FIRKA DEVELOPMENT DEPARTMENT

-:0:-

Memorandum No.36268 V-3/49 F.D., dated the 22nd October 1949.

Sub:- The Madras Temple Entry Authorization Act, 1947 - Sec. 4. Regulations made by the trustees.

Ref:- From the President, Hindu Religious Endowment Board No.109437/49-1, dated 7-10-49.

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The President, Hindu Religious Endowment Board is requested to state whether the rules framed under Section 8 of the Madras Temple Entry Authorization Act, 1947 have been adopted and followed by the Executive authorities of all temples and if not, they should be asked to explain the reasons for such non-observance. He is also requested to state whether no regulations under section 4 of the Act have yet been issued and if so, what action has been taken to see that there regultion are issued.

Assistant Secretary to Government.

To the President, Hindu Religious Endowment Board.

/True copy/

SUPERINTENDENT.

hcb.23/5.

Copy of Letter No.A.1-560/48 dated the 22nd July 1949 from the Chief Commissioner of Coorg, Mercara to the Secretary to Government of Madras Legal Department, Fort St. George, Madras.

Sub:-Depressed Classes - Madras Temple Entry Authorisation Act, 1947.

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I invite a reference to section 4 of the above Act under which the trustees or authorities of the temples are required to make regulations for the purpose set forth in that section. I shall be much obliged if you will kindly send me two copies of the regulations framed by the trustees, etc. of some of the important temples in the Madras Province, for the use of this Administration in framing similar regulations.

Legal Dept
U.O.
U.O. 9520/49-1
9.8.49.

Sd. x x x
for Chief Commissioner.

/True copy/

hch.23/5.

SUPERINTENDENT.

Copy of Letter No.109437/49-5 Gnl dated 31-1-1950 from the President, Hindu Religious Endowments Board, Cathedral P.O., Madras to the Secretary to Govt. of Madras, Firka Development Department, Fort St. George, M a d r a s.

Sub :- The Madras Temple Entry Authorisation Act, 1947 - Regulation and Rules made by the executive authorities of Religious Institutions - under section 4 of the Act.

Ref:- Government Memo No.36268 F.D.(V)/49-4 dated 17-12-1949.

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In response to the Board's circular, executive authorities of some of the important institutions have forwarded for the approval of the Board, copies of the draft regulations proposed to be framed by them under section 4 of the Madras Temple Entry Authorisation Act, 1947. After considering the said draft regulation, the Board has framed a set of model regulations that may be adopted by all temples. Though the conditions vary from one temple to another, additions and alterations if any may be made by the executive authority of the temple concerned with the approval of the Board, as the approval of the Government in every case may result in delay.

A copy of the said model regulations as framed by the Board is enclosed. The Government may be pleased to approve them. On receipt of orders of the Government, the draft regulations will be issued for adoption by the executive authorities of temples.

As regards observance by the executive authorities of temples of the rules framed under section 8 of the said Act, the replies so far received to the circular issued by the Board do not disclose any case of non observance of the said rules on the part of any temple.

Yours faithfully,

(Sd.) x x

PRESIDENT.

Encl: 1.

Office of the Hindu Religious Endowments Board,
Madras-6.

Model Regulations framed under section 4 of the Madras Act V of 1947 (The Madras Temple Entry Authorisation Act) and approved by the Board of Commissioners for Hindu Religious Endowments, Madras.

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These regulations shall apply without any discrimination to every Hindu irrespective of the caste or sect to which he belongs.

2. These regulations shall be in force until they are rescinded, revoked amended or varied by the Board of Commissioners for H.R.E. Madras.

3. The Executive authority of a temple shall public these regulations and the variations of amendments thereto made by the Board from time to time on the notice Board of the temple and in a prominent place in English and in the Vernacular of the locality and in such other languages if the temple should be resorted to for worship by people speaking recognised languages.

4. Worshippers and all servants of the temple shall conform to the regulations made by the Executive authority from time to time under the Act for the regulation of worship, maintenance of order and decorum in the temple and the due observance of the religious rites and rituals and ceremonies performed in the temple.

5. If any person contravenes or is suspected or believed by the Executive authority of a temple to have contravened any of the provisions of these regulations, it shall be lawful for the Executive authority, to direct such person to remove himself from the temple or its premises, and in case such a person refuses to abide by such directions, to cause him to be removed from the temple or its premises; and no suit or prosecution or other legal proceedings shall lie against the Executive authority or any person acting under his directions for anything done in good faith in pursuance of these regulations. Doubts or differences in the matter of carrying out this regulation shall be referred to the Board whose decision shall be final.

6. Rules 3 to 8 framed under the Act in G.O.(Ms) No.164 F.D. Dept. dated 23-3-1948 and published in the Fort St. George Gazette dated 6-4-48 which are appended hereto for information shall be strictly observed by everybody including the servants of the temple and any non-observance thereof by any person shall render him liable to the penalties mentioned in those rules.

7. Worship in the temple and all subshrines and sannadhis attached to the temple is open to all Hindus irrespective of the caste or sect to which he belongs.

8. The right of entry for worship in the temple shall not entitle a worshipper either to perform pooja himself or to enter into the Garbhagraha or such portions of the temple, as are reserved according to the custom or usage observed in the temple for certain classes persons only, like the priests, archakas etc.

9. Worshippers of the respective sexes shall worship from the places allocated to them separately as per the order of the executive authority in force for the time being, and no discrimination shall be shown between one worshipper and another, and no worshipper shall enter the places prohibited from entry, unless with the previous permission of the executive authority. This regulation shall not debar the executive authorityx or any officer or servant of the Board from entering such places on duty.

10. Non-Hindus will be allowed access into the temple only with the permission of the executive authority upto the limits a non-Hindu can be allowed as per the usage and custom prevailing in the temple.

11. Worshippers are prohibited from throwing coins or other offerings on the deity or deities and shall act according to instructions which they may seek in regard to their offerings from the executive authority of the temple.

12. The executive authority shall on festive occasions and on occasions when the crowd is very large have the power to regulate entrance one exit.

13. The executive authority shall prescribe the hours of worship and various services in the temple and for Dharma Dharsanam, Archanas etc. may be performed at such times and at such rates as may be prescribed by the temple from time to time.

14. No person other than the archaka or other service holders specially privileged shall touch the deity in the moolasthanam or wherever the idols may be found or while they are kept for alankaram at the mantapams or in the Sannadhis or while they are being taken out for procession.

15. Every worshipper attending the services or offering worship in the temple, shall keep himself clean and neat and conform to the acharams, customs, and usages of the institution in the matter of wearing apparel.

16. Prasadams or theertham or vibhudhi or kunkumam or thulasi or sandal paste etc; kept in the temple for the use of the deity shall not be touched by any worshipper. Similarly, the Sreesadari and other paraphernalia, if it is the custom, shall not be touched by any worshipper. prasadams, theertham, vibuthi, thulasi or sandal paste etc. shall be taken only when given by the archaka or any service holder appointed or recognised by the executive authority except when they are kept at a particular place for the public to take or use.

17. No worshipper shall be allowed to carry with them anything that is opposed to the acharas of the institution while they are within the premises of the temple.

18. No worshipper shall in any manner disturb or cause annoyance to any service holder in the institution while engaged in the due discharge of services or mingle with the Vedaparayanam or other special Goshtis following the deity in any procession, except such members who as per usage and traditions of the institution are entitled to be members of the Goshti.

19. All temple servants shall abide by the orders of the executive authority from time to time in respect of their eligibility to perform the services required of them, their duties mode of dress, attendance and discipline.

20. All temple servants shall be punctual in attending to their duties at the schedule timings and deputies of the temple servants shall be allowed to discharge their duties only with the previous permission of the executive authority, except in cases of sudden illness or other similar reasons of unavoidable emergency in which cases the deputy may function after taking the permission of the authority on the spot.

21. If any difficulty arises in carrying out the provisions of these regulations the matter shall be referred to the executive authority who may refer such matters to the Board for directions if necessary.

APPENDIX

Rules:-

1. The classes of persons mentioned hereunder shall not be entitled to enter or offer workship in a temple or bathe in or use the waters of any sacred tank, well, spring or water-course appurtenant to the temple whether situate within or outside the precincts thereof, or any sacred place including a hill or hillock or a road, street or pathway, which is requisite for obtaining access to the temple:-

(a) Persons who are not Hindus;

(b) persons under pollution arsing out of birth or death in their familes.

(c) Women at such times during which they are not by custom and usage allowed to enter temples;

(d) Drunken or disorderly persons:

(e) Persons suffering from an, loathsome or contagious diseases; control and with the permission of the executive authority of the temple concerned.

(f) Persons of unsound mind except where taken for worship under proper control.

(g) Professional beggars.

2. No person shall enter into any temple premises unless he has had a bath and wears clean clothes of such materials and in such manner as is customary in such temple. No person shall enter a temple with any footwear.

3. No person shall (i) within the temple premises, spit, chew betel, tobacco or any similar article, or smoke, or carry with him into the temple any article for smoking, or (ii) Take into the temple fish, eggs, meat, flesh, toddy, arrack or other intoxicants, or any article or animal, inappropirate according to the custom or usage of the temple concerned, or (iii) do any act which is opposed to custom or established usage of the temple or would tend to derogate from the purity and cleanliness of the temple and its premises.

4. No person shall interupt the worship in a temple by loud conversations or other demonstrations which will derogate from the solemnity or the proper atmosphere of worship in the temple.

5. Tanks or wells or other water sourses used exclusively for particular functions or by particular function arises of a temple shall containue to be so used exclusively for such functions and by such function arises.

6. The temple buildings and premises shall not be used forpurposes not connected with or arising from the worship, usages and observances of such temple.

Firka Development Department.

Letter Ref.No.36268 V-6/49 F.D. dated 16-2-1950.

To

The Chief Commissioner of Coorg,
Mercara (with enclosure).

Sub:- The Madras Temple Entry ~~Act~~ Authorization Act, 1947 - Section 4 - Regulations - copies - furnishng of.

Ref:- This Govt.'s letter No.36268 V-5/49 F.D.,dated 4-1-50

I am directed to forward two copies of the model regulations framed by the Hindu Religious Endowment Board under section 4 of the Madras Temple Entry Authorization Act, 1947 for adopting by the executive authorities of religious institutions in this Province.

Yours faithfully,
Assistant Secretary to Govt.

/True copy/

Firka Development Department.

Sub: The Madras Temple Entry Authorization Act, 1947 - Section 4 - Regulations - Approval - orders - passed.

Read also: From the President, Hindu Religious Endowment Board No.109437/49-4,dated 27-12-1949.

From the President, Hindu Religious Endowment Board No.109437/49-5,dated 31-1-1950.

ORDER:Ms127. F.D. dated 16-2-1950.

The attention of the President, Hindu Religious Endowment Board is invited to section 4 of the Madras Temple Entry Authorization Act, 1947 and he is informed that Government approval is not necessary for framing regulations by the Hindu Religious Endowment Board under the said section.

To the President,
H.R.E.Board.

/True copy/

bch.23/5.

SUPERINTENDENT.

The brief history of the case is as follows:-

In July 1949, the Chief Commissioner of Coorg requested this Government to forward two copies of the regulations made by the trustees or authroities of temples under section 4 of the Madras Temple Entry Authorisation Act, 1947, for their use.

2. The President, H.R.E.Board who was consulted, reported that no regulations were made either by the trustees or the Board under section 4 of the Act. He was thereupon asked to state whether the rules framed under section 8 of the Act were adopted and followed by the executive authorities of the temples and also to take steps to see that the regulations under Section 4 were issued. The President now reports that the replies received from the executive authorities of temples do not disclose any case of non-observants of the rules under section 8 of the Act. As regards regulations under section 4 he has forwarded a copy of draft framed by the Board under section 4 of the Act for adoption by the executive authorities and requests that the regulations may be approved by Govt.

3. Under section 4 of the Act, the trustees or other authority incharge of a temple shall have power to make regulations for the maintenance of order and decorum in the temple and the due observance of the religious rites and ceremonies performed in the temple. Under rule 10 of the rules framed under section 8 of the Act, the regulations made by the executive authority of a temple may be rescinded, revoked, amended or varied by the H.R. E.Board. By virtue of this rule, the matter need not come upto Government and the Board can itself approve the regulations. Since the President requests Government approval, there seems to be no objection to inform the President, that they have no objection to the regulations made by the Board being adopted by the executive authorities. The President may be informed accordingly. Copies of the regulations may also be furnished to the Commissioner of Coorg as desired by him.

Drafts are submitted for approval.

We may tell the President that Govt.is approval is not necessary.

A revised draft is submitted with reference to 'A' above.

/True copy/

hch.23/5. SUPERINTENDENT.

Compared by
1. V. Ramadoss 25/5
2. M Krishnan
25/5